

PATENT

Attorney Docket No. IBM/167
Confirmation No. 8940**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (26 total pages, including cover sheet) are being transmitted via facsimile transmission to the U.S. Patent and Trademark Office, Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on January 7, 2005.

Judith L. Volk
Judith L. Volk

January 7, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2155
Serial No.: 09/694,586 Examiner: Benjamin R. Bruckart
Filed: October 23, 2000 Atty. Docket No.: IBM/167
For: DYNAMIC MODIFICATION OF CLUSTER COMMUNICATION PARAMETERS IN
CLUSTERED COMPUTER SYSTEM

Cincinnati, Ohio

January 7, 2005

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION-37 CFR 41.37)

- Transmitted herewith is the APPEAL BRIEF in this application with respect to the Notice of Appeal filed on September 7, 2004.
- STATUS OF APPLICANT**

This application is on behalf of

XX other than a small entity

_____ small entity

_____ small entity status is requested

_____ small entity status was previously requested and is still proper

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is:

04/18/2005 CQUEEN 00000005 233000
Sale Ref: 00000005 DASH: 233000 09694586
01 FC:1252 450.00 XX

\$250.00

XX Other than a small entity

03/17/2005 CQUEEN 00000008 233000 09694586

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500.00 DA

Judith

4. EXTENSION OF TIME

Applicant petitions for an extension of time under 37 C.F.R. 1.136(a) for the total number of months checked below:

<u>Months</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 120.00	\$ 60.00
<u>XX</u> two months 450.00 225.00
_____ three months 1,020.00 510.00
_____ four months 1,590.00 795.00
_____ five months 2,160.00 1,080.00

Fee: \$ 450.00

If an additional extension of time is required, please consider this a petition therefor.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$500.00

Extension fee \$450.00

6. FEE PAYMENT

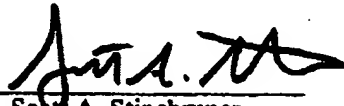
_____ Attached is a check in the sum of \$ _____

XX Charge fees totaling \$950.00 to Deposit Account No. 23-3000.

7. FEE DEFICIENCY

XX Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

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